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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,866	08/09/2006	Toshiyuki Ogata	SHIGA7.053APC	4094

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EXAMINER

WALKE, AMANDA C

ART UNIT	PAPER NUMBER
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1795

NOTIFICATION DATE	DELIVERY MODE
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04/17/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
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Office Action Summary	Application No. 10/588,866	Applicant(s) OGATA ET AL.	
	Examiner Amanda C. Walke	Art Unit 1795	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Applicant's arguments filed 1/21/09 have been considered and found persuasive. The rejections of record have been withdrawn and a new rejection follows.

Claim Rejections - 35 USC § 103

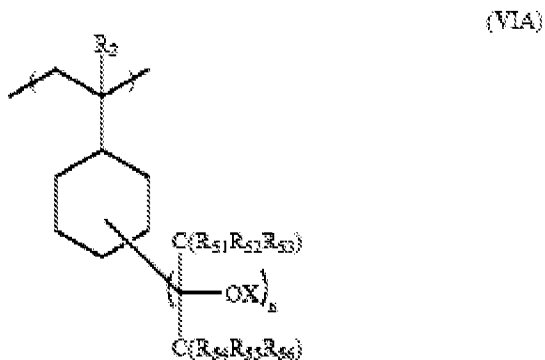
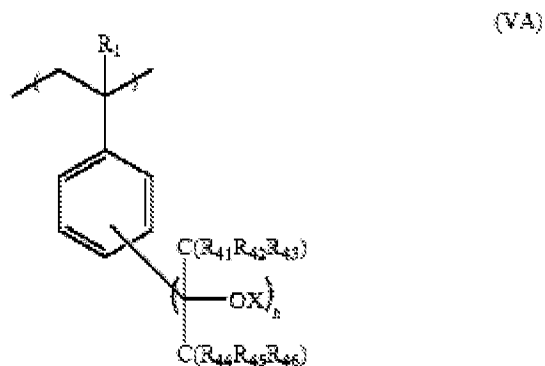
1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al (7,198,880).

Sasaki et al disclose a resist composition comprising a compound having the following structure:

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Wherein X (or later X1 or X2) may be a -C(R_x)(R_y)(OR_z) group, and the groups may have substituents.

The group decomposable by the action of an acid (acid decomposable group) as X includes any group decomposable by the action of an acid and preferable examples thereof includes a group represented as —C(R_{14a})(R_{15a})(OR_{16a}), —C(R_{11a})(R_{12a})(R_{13a}) and —CO—OC(R_{11a})(R_{12a})(R_{13a}).

The group decomposable by the action of an acid (acid decomposable group) as R_{3a} and R_{3b} includes any group decomposable by the action of an acid and preferably includes for example groups represented as —C(R_{14a})(R_{15a})(OR_{16a}) and —C(R_{11a})(R_{12a})(R_{13a}).

(R_{11a} to R_{13a} each independently represents an alkyl group which may optionally have a substituent, an alkenyl group which may optionally have a substituent, an aralkyl group which may optionally have a substituent, or an aryl group which may optionally have a substituent.

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The examples of a substituent, which the alkenyl group may optionally have, include a halogen atom, a hydroxyl group, an alkoxyl group and a cyano group. The halogen atom includes for example a fluorine atom, a chlorine atom, and a bromine atom. The alkoxyl group includes a linear, branched or cyclic alkoxyl group having generally one to 10 carbon atoms, preferably one to 6 carbon atoms. Specifically, the alkoxyl group includes for example a methoxy group, an ethoxy group, a propoxy group, a *o*-propoxy group, a butoxy group, an *i*-butoxy group and a *t*-butoxy group.

Examples of such groups include $-\text{CH}_2\text{OC}_2\text{H}_5$ and $-\text{CH}_2\text{OC}_2\text{H}_4\text{OCH}_3$ groups, and others have $-\text{OH}$ groups. Substituents for the alkyls include halogens (F atoms as seen in examples) and $-\text{OH}$ groups, therefore it would have been obvious to one of ordinary skill in the art to prepare the material of Sasaki et al choosing to have $-\text{OH}$ groups on the $-\text{OCH}_2$ groups in place of $-\text{OR}$ and/ or also to substitute the H atoms with F atoms given the teachings of the references.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda C. Walke whose telephone number is 571-272-1337. The examiner can normally be reached on M-R 5:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amanda C Walke
Primary Examiner
Art Unit 1795

/Amanda C Walke/
Primary Examiner, Art Unit 1795